

Coltrain, Katrina

From: Benton, Marvin
Sent: Tuesday, April 21, 2015 3:12 PM
To: Coltrain, Katrina
Cc: Downham, Todd
Subject: RE: Reply from Marvin Benton---(b) (6) Attorney Contact Info
Signed By: Benton.Marvin@epa.gov

Katrina:

Please be advised that I just spoke with Attorney (b) (6) office. I was told that he was away from the office in a meeting. I left him a message that I wanted to discuss the access agreement that EPA needs to get signed.

The receptionist stated that Attorney (b) (6) should be in the office on Wednesday morning April 22nd.

Once I speak with Attorney (b) (6) I will let you know asap.

Thanks,

Marvin Benton
 Senior Staff Attorney
 Superfund Legal Branch
 Office Phone: 214-665-3190
 benton.marvin@epa.gov

From: Coltrain, Katrina
Sent: Tuesday, April 21, 2015 7:51 AM
To: Benton, Marvin
Cc: Downham, Todd
Subject: FW: (b) (6) Attorney Contact Info

Good morning Marvin, I need assistance with getting access to (b) (6) property. (b) (6) attorney has reservations about the access agreement. I would like to know what needs to be revised so that he will grant us access to the property. I have included the general form for reference, and a revised form that reflects what I believe he has reservations about. Would you please contact the attorney and discuss the access. Also, do you have any edits/revisions to the revised draft access form?

thanks

What we plan to do.

- 1) Access to the immediate living area of the home. Reference the property figure.
- 2) Within each of the four grids, we will be taking 5 separate aliquots to form a sample that will be sent to the lab for analysis.
- 3) We will be using a direct push machine that will allow us to obtain soil from the upper 2ft, and allow us to push deeper (up to 20ft) to observe whether waste is present at depth.



- 4) The bore holes will be backfilled with a combination of sand, grout, and soil.
- 5) When the analysis is received, we will set up a meeting to discuss the results.
- 6) Timing: May 2015. If we do not get access, we may need to bypass this property until the RI; however, since he is living here I prefer to sample now.

Katrina Higgins-Coltrain
Remedial Project Manager
US EPA Region 6
LA/OK/NM Section
1445 Ross Avenue
Dallas, Texas 75202
214-665-8143

From: Downham, Todd [<mailto:Todd.Downham@deq.ok.gov>]
Sent: Monday, April 20, 2015 3:59 PM
To: Coltrain, Katrina
Subject: (b) (6) Attorney Contact Info

Katrina,
The Attorney for (b) (6) is (b) (6) (b) (6)

(b) (6)

Thanks,

Todd Downham
(405) 702-5136
Fax: (405) 702-5101
todd.downham@deq.ok.gov



United States Environmental Protection Agency Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

Consent for Entry and Access to Property

Name: _____

Address: _____

Phone: (____) _____

Address of Property for which consent to access is granted:

Relationship to property: _____
(i.e., owner, 5-year tenant, etc.)

I consent to officers, employees, and authorized representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to my property for the following purposes:

1. Taking such soil, water, air, and/or other samples upon the property as may be determined to be necessary;
2. Performing physical tests to determine the characteristics of the soil and aquifer(s) beneath the property;
3. Sampling of any solids or liquids stored or disposed of on the property, or any containers, tanks, materials or other items suspected to contain hazardous substances located upon the property, including the removal of such materials if necessary to perform laboratory testing;
4. Taking a response action to mitigate any threat to human health and/or the environment at the property, including site stabilization and mitigation activities, and the removal, cleanup, elimination and/or remediation of hazardous substances or any materials containing hazardous substances.
5. Photographing and videotaping the property for documentation of current conditions;
6. Other actions necessary to determine the nature, extent and potential threat to human health and the environment from contamination at the property or the removal of such threat at or originating from the property.

I realize that these actions by EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq.

To the extent that EPA installs any item, I acknowledge that it makes no representations about the quality, aesthetics, safety, use, or character of the item or its installation; and makes no warranties as to the item or its installation.

This written permission is given by me voluntarily with knowledge of my right to refuse and without threats or promises of any kind.

I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the property by officers, employees and authorized representatives of EPA at reasonable times.

All statements on this document are true and correct to the best of my knowledge.

Date:_____ Signature_____



United States Environmental Protection Agency Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

Consent for Entry and Access to Property

Name: _____

Address: _____

Phone: (____) _____

Address of Property for which consent to access is granted:

Relationship to property: _____
(i.e., owner, 5-year tenant, etc.)

I consent to officers, employees, and authorized representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to my property for the following purposes:

1. Taking of soil and/or waste samples upon the property as may be determined to be necessary;
2. Performing physical tests to determine the characteristics of the soil and aquifer(s) beneath the property;
3. Photographing and videotaping the property for documentation of current conditions and sampling activities;

I realize that these actions by EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq.

This written permission is given by me voluntarily with knowledge of my right to refuse and without threats or promises of any kind.

I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the property by officers, employees and authorized representatives of EPA at reasonable times.

All statements on this document are true and correct to the best of my knowledge.

Date:_____ Signature_____



0 60 120
Feet

LEGEND

- Property Boundary
- Proposed Depth Investigation Sample (n=4)

TDD NO: 5/WESTON-042-15-004
SOURCE: 2010 Microsoft Corporation and its data suppliers

Oklahoma

N

US EPA REGION 6

PROPOSED SAMPLE LOCATION MAP
PROPERTY 008
WILCOX OIL
WEST 221st STREET/REFINERY ROAD
BRISTOW, CREEK COUNTY, OKLAHOMA

DATE APRIL, 2015	PROJECT NO 20406.012.005.0919.01	SCALE AS SHOWN
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